

MESSAGE NO: 4168302 MESSAGE DATE: 06/17/2014

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 79 FR 27283 FR CITE DATE: 05/13/2014

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-909

EFFECTIVE DATE: 04/08/2014 COURT CASE #:

PERIOD OF REVIEW: 08/01/2011 TO 07/31/2012

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for certain steel nails from the People's Republic of China ("PRC") exported by several companies for the period 08/01/2011 through 07/31/2012

1. Several companies reported to Commerce that they had no shipments of certain steel nails from the PRC during the period 08/01/2011 through 07/31/2012. Therefore, pursuant to the publication of the amended final results of review (79 FR 27283, 05/13/2014) and as a result of Commerce's clarification of its assessment regulation (10/24/2011, 76 FR 65694), for all shipments of certain steel nails from the PRC exported by the companies below, entered, or withdrawn from warehouse, for consumption during the period 08/01/2011 through 07/31/2012, assess antidumping duties at the PRC-wide rate. The PRC-wide rate is 118.04 percent ad-valorem.

Exporter: Certified Products International Inc.

Case Numbers: A-570-909-052, A-570-909-053, A-570-909-054, A-570-909-055, A-570-909-056, A-570-909-057, A-570-909-058, A-570-909-059, A-570-909-060, A-570-909-061, A-570-909-062, A-570-909-063, A-570-909-064, A-570-909-065, A-570-909-066, A-570-909-067, A-570-909-068, A-570-909-069, A-570-909-070, A-570-909-071, A-570-909-072, A-570-909-073, A-570-909-074, A-570-909-075, A-570-909-076, A-570-909-077, A-570-909-078, A-570-909-079, and A-570-909-166.

Exporter: PT Enterprise Inc.

Case Numbers: A-570-909-139, A-570-909-140, and A-570-909-141

Exporter: Shanxi Yuci Broadwire Products Co., Ltd.

Case Number: A-570-909-145

Exporter: Shanghai Tengyu Hardware Tools Co., Ltd.

Case Numbers: A-570-909-150 and A-570-909-168

Exporter: Jining Huarong Hardware Products Co., Ltd.

Case Number: A-570-909-155

Exporter: Shanghai Jade Shuttle Hardware Tools Co., Ltd.

Case Numbers: A-570-909-160 and A-570-909-189

2. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 1 occurred with the publication of the final results of administrative review (79 FR 19316, 04/08/2014). Unless instructed otherwise, for all other shipments of certain steel nails from the PRC you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

3a. The injunction with court number 14-00112 discussed in message number 4141304 dated 05/21/2104 is applicable to the entries which

- i. were the subject of the administrative determination published as Certain Steel Nails From the People's Republic of China: Final Results of the Fourth Antidumping Duty Administrative Review, 79 Fed. Reg. 19316 (April 8, 2014);
- ii. were produced and exported by The Stanley Works (Langfang) Fastening Systems Co., Ltd.;
- iii. were entered or withdrawn from warehouse, for consumption, during the period August 1, 2011 through July 31, 2012; and
- iv. were the subject of liquidation instructions delivered to the U.S. Customs and Border Protection on April 30, 2014, lifting suspension effective April 8, 2014.

3b. The injunction with court number 13-00368 discussed in message number 3338301 dated 12/04/2013 is applicable to the entries of subject merchandise which were imported by Cobra Anchors Co., Ltd., into the United States and which were entered, or withdrawn from warehouse, for consumption between 08/01/2010 through 07/31/2012.

Accordingly, continue to suspend liquidation of such entries until liquidation instructions are issued.

4. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

5. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the manufacturer, producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.
6. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV:JB.)
7. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party